GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PREVENTIVE DETENTION - The Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No: 1 of 1986) – Order of Detention made by the Collector and District Magistrate, Nellore District, againt Sri Shaik Asif, S/o Ismail @ Kuppuswamy, aged 23 years, R/o B.Block, Chandrababu Nagar, Nellore city, SPS Nellore District, Andhra Pradesh State - Representation of Smt. Shaik Seerajunnisa, W/o Shaik Ismail (Mother of Shaik Asif), – Examined –Orders – Issued.

GENERAL ADMINISTRATION (SC.I) DEPARTMENT

G.O.Rt.No.2424 Dated:15.11.2022
Read the following:-

1. From the Collector and District Magistrate, SPS Nellore District, Nellore Proceedings No. C1(Magl)/106/2022, Dt:27.05.2022.
2. G.O.Rt.No.1044, G.A.(SC.I) Dept., dated 06.06.2022.
3. G.O.Rt.No:1614, GA(SC.I) Dept., Dt:05.08.2022.
4. Representation, of Smt. Shaik Seerajunnisa, W/o Shaik Ismail (Mother of Shaik Asif), R/o Vikalangula Colony, Buja Buja Nellore (Rural), Nellore, SPSR Nellore District Dt:27.10.2022.

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O R D E R:

In the reference first read above, the Collector and District Magistrate, Nellore District, has passed detention order against Sri Shaik Asif, S/o Ismail @ Kuppuswamy, aged 23 years, R/o B.Block, Chandrababu Nagar, Nellore city, SPS Nellore District, Andhra Pradesh State, under section 3 (1) & (2) read with Section 2(g) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986). After following due procedure, Government had approved and confirmed the detention order in the reference 2nd & 3rd read above.

2. In the reference 4th read above, Smt. Shaik Seerajunnisa, W/o Shaik Ismail (Mother of Shaik Asif) had made a representation to the Government and requested to set-aside the detention Order passed against her son.

3. Government have examined the representation of Smt. Shaik Seerajunnisa, W/o Shaik Ismail (Mother of Shaik Asif) and the report of the Collector & District Magistrate, Nellore District, under the provisions of the APPD Act, 1986. It is observed that four cases have been registered against him as the detenue has repeatedly indulging himself in committing the offences of murder, attempt to murder, assault or criminal force, hurt by dangerous weapon, criminal intimidation, atrocities against the SCs & STs as member of or leader of gang of the said offences. He is an habitual offender having involved in number of cases. His activities are habitual in nature and prejudicial to the maintenance of public order, which are registered under various provisions U/s 147, 148, 302 r/w 149 IPC & Sec.3 (2) (V) of SCs & STs (POA) Act, 2015 U/s 307, 34, 506 r/w 34 IPC,U/S 379 IPC. The details shows that he is a habitual offender. He is a criminal indulging in violent and unlawful activities, having no respect towards Law and Justice and continued his criminal activities and there will be no change in his attitude even though number of cases registered against him. The said offences are punishable under Chapter XVI Chapter XVII or Chapter XXII of IPC. As such the activities of the individual falls under and within the meaning of “Goonda” as defined under section 2(g) of Act 1 of 1986.

(P.T.O.)

4. The Act 1/1986 provides power to preventive detention of an individual to contain his activities which are prejudicial to the maintenance of public order under the following circumstances: (a) "acting in any manner prejudicial to the maintenance of public order" means when a boot-legger, a dacoit, a drug offender, a goonda, an immoral traffic offender, or a land-grabber is engaged or is making preparations for engaging in any of his activities as such, which affect adversely or are likely to affect adversely, the maintenance of public order. For the purpose of this clause public order shall be deemed to have been affected adversely, or shall be deemed likely to be affected adversely inter alia, if any of the activities of any of the persons referred to in this clause directly, or indirectly, is causing or calculated to cause any harm, danger or alarm or a feeling of insecurity among the general public or any section thereof or a grave or widespread danger to life or public health. Further, the Applicant has not availed the opportunity and represented before the Advisory Board on Preventive Detentions to put her argument/case before the Board.

5. Government therefore, and after careful examination of the matter hereby dispose the representation of the petitioner, Smt. Shaik Seerajunnisa, W/o Shaik Ismail (Mother of Shaik Asif) as rejected.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.SAMEER SHARMA
CHIEF SECRETARY TO GOVERNMENT

To
Smt. Shaik Seerajunnisa, W/o Shaik Ismail, R/o Vikalangula Colony, Buja Buja Nellore (Rrural), Nellore, SPSR Nellore District..
The Collector and District Magistrate, Nellore District..
Copy to:
The Superintendent of Police, Nellore District.
The Spl. Govt. Pleader, attached to Learned Advocate General, A.P High court, High Court buildings, Nelapadu, Guntur Dist, A.P.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER (SC)